

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE AUTOHOP LITIGATION

This Document Relates To:

DISH Network L.L.C., 12 Civ. 4155
(LTS)(KNF)

12 Civ. 4155 (LTS) (KNF)

DECLARATION OF KEITH GERHARDS
REDACTED PUBLIC FILING,
ORIGINAL FILED UNDER SEAL

I Keith Gerhards, declare:

1. I am a Director of Software for EchoStar Corporation. I submit this declaration in Opposition to ABC's Motion for Preliminary Injunction. Except as otherwise stated herein, this declaration is based on my personal knowledge, the books and records at DISH, and/or information reported up to me in the regular course of business by other individuals in the organization with personal knowledge of such facts. I can testify about the facts stated competently if called upon to do so.

2. DISH sells or leases a variety of devices that are a combination of satellite receivers (called "set-top-boxes" or STBs) and digital video recorders (DVRs). After the STB/DVRs devices are installed, if the consumer chooses to do so, the STB/DVRs can be connected to the internet via customers' internet service provider or via customers' telephone line for ongoing communication with EchoStar. This allows EchoStar to check on the overall operation of the devices. [REDACTED]

3. [REDACTED]

[REDACTED]

4. [REDACTED]

[REDACTED]

5. [REDACTED]

[REDACTED]

6. [REDACTED]

[REDACTED]

7. [REDACTED]

[REDACTED]

[REDACTED]

8. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

9. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 21 day of Dec, 2012, at Superior, Colorado



Keith Gerhards

EXHIBIT 01

REDACTED
IN ITS
ENTIRETY

EXHIBIT 02

REDACTED
IN ITS
ENTIRETY